

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:

NationsRent, Inc., et al.,¹

Debtors.

NationsRent Unsecured Creditor's
Liquidating Trust, Perry Mandarino, not
personally, but as Trustee

Plaintiff,

v.

3-D/Costal Oil Company

District Court Case Nos. (KAJ):

04-CV-1033

4 Star Air Hydraulics & Ind.

04-CV-1030

Action Tire Company

04-CV-1031

ADA Resources Inc.

04-CV-976

Advanced Tire Inc.

04-CV-713

Ael Leasing Co., Inc.

04-CV-767

Agovino & Asselta, LLP

04-CV-1035

Airdyne Management Inc.

04-CV-714

Allen Oil Company of Sylacauga, Inc.¹

04-CV-801

Alternators Unlimited Reb.

04-CV-988

A.O.K. Tire Mart II, Inc.

04-CV-766

Archie's Truck Service

04-CV-1158

Arrow Master, Inc.

04-CV-1160

ASAP Equipment Rental & Sales

04-CV-716

Authorized Equipment, Inc.

04-CV-784

¹ NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

Bay Counties Pitcock Petroleum Inc.	04-CV-1060
Black & Veatch Constr.	04-CV-1039
Blue Ribbon Tire Co., Inc.	04-CV-721
Bobcat Company	04-CV-1026
Bradenton Fuel Oil, Inc.	04-CV-1037
Burch-Lowe, Inc.	04-CV-1076
Carruth-Doggett Industries, Inc.	04-CV-723
C.G.& E.	04-CV-802
Central Tire	04-CV-995
Cintas Corp. #318, Cintas Corporation No. 2	04-CV-996
CMD Group	04-CV-726
Coleman Engineering	04-CV-1148
Collision Pro	04-CV-1149
Columbus Equipment Company	04-CV-998
Columbus McKinnon Corp.	04-CV-999
Commercial Tire Inc.	04-CV-806
Construction Machinery, Inc.	04-CV-1142
Contractors Machinery Co. Inc.	04-CV-795
Corporate Express	04-CV-1001
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Dorris Cleaning	04-CV-1111
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Dossey Holdings, Inc.	04-CV-1155
Double A	04-CV-1153
Douglass Distributing	04-CV-1114
Dutchess Forging	04-CV-1117
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Fleetwing Corp.	04-CV-1151
Fluid Tech Hydraulics, Inc.	04-CV-1154
GCR Pensacola Truck Tire Ctr.	04-CV-730
Gene Jackson Tire Co.	04-CV-1049
GFC Leasing	04-CV-1051
GMR Marketing LLC	04-CV-731
Goodyear Commercial Tire & Service Center	04-CV-733
GSR Construction, Inc.	04-CV-768
Gullo Ford Mercury	04-CV-769
Harbor Graphics Corporation	04-CV-1007
Harte-Hanks	04-CV-739

Hick's Petroleum Distributors, Inc.	04-CV-770
Hindley Electronics, Inc.	04-CV-1013
Holt Equipment Company Co., LLC	04-CV-772
Hunt & Sons	04-CV-1019
Husqvarna Forest & Garden	04-CV-1176
ID Technologies, Inc.	04-CV-1043
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Illuminating Company	04-CV-1070
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Jimmy's Garage	04-CV-1080
Joe Jeter Sales	04-CV-981
John Ray and Sons Inc.	04-CV-774
Kent Demolition Tools	04-CV-987
Keson Industries Inc.	04-CV-1116
Kforce.com Inc.	04-CV-745
L&P Financial Services	04-CV-1165
Laclede Chain Mfg. Co.	04-CV-1086
Land & Sea Petroleum, Inc.	04-CV-993
Lionudakis Wood & Green Waste	04-CV-1091
Little Beaver, Inc.	04-CV-997
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The Miller Spreader Co.	04-CV-1008
Mission Critical System, Inc.	04-CV-1014
Mobile Products, Inc.	04-CV-1186
Mobile Storage Group, Inc.	04-CV-1028
Morgan Auto Supply Co.	04-CV-1191
Morgan Guaranty Trust Company of New York	04-CV-1192
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Mutual Industries	04-CV-737
Naab Consulting Corp.	04-CV-1027
Nabors Radiator & Electric	04-CV-738
NACM	04-CV-1067
NAPA Auto Parts, National Automotive Parts Association	04-CV-1041
Napa Auto Parts of Franklin	04-CV-1073
Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor	04-CV-1063
Neff Rental Inc.	04-CV-785
Nickey Petroleum Co. Inc.	04-CV-1085
Nortrax Equipment Co. SE, LLC	04-CV-1045
Nortrax Equipment Co. South LA	04-CV-1044
Nortrax NE LLC	04-CV-1064
NSTAR Electric & Gas Corporation	04-CV-1066

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Reeder Distributors Inc.	04-CV-749
Relizon	04-CV-750
Rentlink Inc.	04-CV-1054
Rhode Island Tire Co. Inc.	04-CV-1032
Rish Equipment Company	04-CV-796
Robertson Fleet Service Inc.	04-CV-1029
S&D Tire Inc.	04-CV-1134
Saber Fleet Services, Inc. d/b/a Weiland Tire Service	04-CV-753

Sanford Auto & Truck Parts	04-CV-1140
Scotty's Oil Company, Inc.	04-CV-755
Sellers Petroleum Products Inc.	04-CV-1109
Sensormatic Electronics Corp.	04-CV-1169
Services & Materials, Co.	04-CV-1171
Sherwin-Williams	04-CV-754
SB Power Tool Corp.	04-CV-1174
Soco Group	04-CV-1159
Son Coast, Hauling, CCC	04-CV-1077
Southeastern Crane	04-CV-799
Southern Energy Company	04-CV-1084
Southern Linc	04-CV-1093
Spectra Precision d/b/a Richard B. Trimble	04-CV-1094
Speedway New Holland	04-CV-1100
Staffing Master.com	04-CV-1113
Star Tire Company Inc.	04-CV-1050
Sterling Truck of Utah	04-CV-1102
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Stone Construction Equipment Inc.	04-CV-1183
Sullivan Palatek Inc.	04-CV-1052
Sun Coast Resources Inc.	04-CV-1188
Tacony Corporation	04-CV-808
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Texana Machinery Corp.	04-CV-805
Tex Con Oil Company	04-CV-1120
Tioga Inc.	04-CV-1129
TIP Dept 0501	04-CV-1131
Tire Centers LLC	04-CV-1133

TMP Worldwide Inc. also known as Monster Worldwide, Inc.	04-CV-986
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Vector Security Inc	04-CV-1197
Vermeer Equipment of Texas Inc.	04-CV-1166
Vermeer Northeast	04-CV-1175
Vermeer of Tennessee, Inc.	04-CV-1071
Vermeer Sales & Service of Colorado, Inc.	04-CV-1112
Vermeer Sales and Service of Southern Ohio, Inc.	04-CV-1107
Vermeer Sales of Texas Inc.	04-CV-1189
Vickers & Asso, Inc.	04-CV-1079
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Wayne Miller's Mobile Tire Inc.	04-CV-1179
Worcester Truck Body Co., Inc.	04-CV-1168

World Wide Welding & Press Inc.
Defendants.

04-CV-1103

**CERTIFICATION OF COUNSEL REGARDING ORDER: (I) SETTING
PROCEDURES TO FACILITATE SETTLEMENT
OF THE ABOVE-CAPTIONED ADVERSARY PROCEEDINGS,
AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M. AS A
STATUS/SCHEUDLING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

I, Mary E. Augustine, Esq. of The Bayard Firm, counsel for the Plaintiffs ("Plaintiff" or "Plaintiffs") in the above-captioned adversary proceedings (the "Adversary Proceedings"), hereby certify as follows:

1. On May 16, 2005, an initial pretrial conference was held (the "Pretrial Conference") in the Adversary Proceedings.
2. At the Pretrial Conference, the Plaintiff proposed a schedule to apply to the Adversary Proceedings for the submission of settlement proposals/positions to the Plaintiff with the Plaintiff's required response deadlines. The Court also directed that a status/scheduling conference pursuant to Rule 16(b) of the Federal Rules of Civil Procedure be held in the Adversary Proceedings on October 11, 2005 at 10:00 a.m.

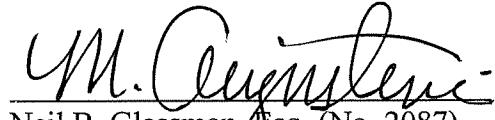
3. Accordingly, for the Court's consideration, attached hereto as Exhibit A is a proposed Order reflecting the dates and procedure presented at the Pretrial Conference.

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4. I respectfully request the entry of the proposed Order at the Court's earliest convenience.

Dated: May 18, 2005

THE BAYARD FIRM



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Mary E. Augustine (No. 4477)
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(302) 655-5000 (telephone)
(302) 658-6395 (facsimile)

-and-

LOWENSTEIN SANDLER PC
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Roseland, New Jersey 07068
(973) 597-2500 (telephone)
(973) 597-2400 (facsimile)

Attorneys for Plaintiffs

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

<p>In re:</p> <p>NationsRent, Inc., et al.,¹</p> <p style="text-align: center;">Debtors.</p> <p>NationsRent Unsecured Creditor's Liquidating Trust, Perry Mandarino, not personally, but as Trustee</p>	<p>Case Nos. 01-11628 through 01-11639 (PJW)</p> <p>Jointly Administered</p> <p>Chapter 11</p>
<p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>3-D/Costal Oil Company</p> <p>4 Star Air Hydraulics & Ind.</p> <p>Action Tire Company</p> <p>ADA Resources Inc.</p> <p>Advanced Tire Inc.</p> <p>Ael Leasing Co., Inc.</p> <p>Agovino & Asselta, LLP</p> <p>Airdyne Management Inc.</p> <p>Allen Oil Company of Sylacauga, Inc.¹</p> <p>Alternators Unlimited Reb.</p> <p>A.O.K. Tire Mart II, Inc.</p> <p>Archie's Truck Service</p> <p>Arrow Master, Inc.</p> <p>ASAP Equipment Rental & Sales</p> <p>Authorized Equipment, Inc.</p>	<p>District Court Case Nos. (KAJ):</p> <p>04-CV-1033</p> <p>04-CV-1030</p> <p>04-CV-1031</p> <p>04-CV-976</p> <p>04-CV-713</p> <p>04-CV-767</p> <p>04-CV-1035</p> <p>04-CV-714</p> <p>04-CV-801</p> <p>04-CV-988</p> <p>04-CV-766</p> <p>04-CV-1158</p> <p>04-CV-1160</p> <p>04-CV-716</p> <p>04-CV-784</p>

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Viking Oil	04-CV-1081
Voltech Company	04-CV-1087
Wayne Miller's Mobile Tire Inc.	04-CV-1179
Worcester Truck Body Co., Inc.	04-CV-1168
World Wide Welding & Press Inc.	04-CV-1103

Defendants.

**ORDER: (I) SETTING PROCEDURES TO FACILITATE
SETTLEMENT OF THE ABOVE-CAPTIONED ADVERSARY
PROCEEDINGS, AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M.
AS A STATUS/SCHEDULING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

This matter having come before the Court at the initial pretrial conference (the “Pretrial Conference”) held on May 16, 2005; and the Court having considered the settlement procedures proposed by counsel for Plaintiff in the captioned adversary proceedings (“Plaintiff” or “Plaintiffs”); and having considered all responses thereto;

IT IS HEREBY ORDERED THAT:

1. Each defendant (the “Defendant”) in the each of above-captioned adversary proceedings (the “Adversary Proceedings”) shall submit a written settlement proposal/position (the “Settlement Position”) in good faith to counsel for the Plaintiffs by July 15, 2005, which: (a) contains a brief statement setting forth the basis of the Defendant’s defenses, (b) attaches all documentation supporting such defenses, and (c) sets forth Defendant’s settlement proposal and/or position. The Settlement Position shall be served upon Plaintiff’s counsel at the following address:

Lowenstein Sandler PC
Attn: Susan Erickson, Esq.
65 Livingston Avenue
Roseland, NJ 07068-1791

2. The Plaintiff shall consider the Settlement Positions in good faith and shall respond in writing to each Settlement Position pursuant to the following schedule:

a. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is greater than \$50,000.00, the Plaintiff must respond to the Settlement Position by August 19, 2005.

- b. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is between \$20,000.00 and \$50,000.00, the Plaintiff must respond to the Settlement Position by September 16, 2005.
- c. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is less than \$20,000.00 the Plaintiff must respond to the Settlement Position by September 30, 2005.

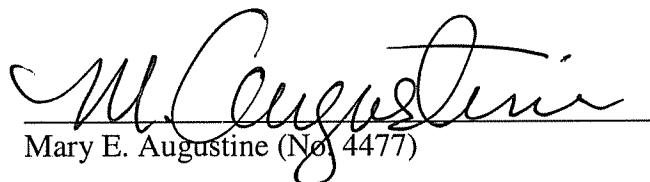
3. Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a status/scheduling conference for the unresolved Adversary Proceedings will be held on October 11, 2005 at 10:00 a.m.

Dated: _____, 2005

The Honorable Kent A. Jordan
United States District Court Judge

CERTIFICATE OF SERVICE

I Mary E. Augustine, hereby certify that on this 18th day of May, 2005, I caused a copy of the **Certification of Counsel Regarding Order: (I) Setting Procedures to Facilitate Settlement of the Above-Captioned Adversary Proceedings, and (II) Setting October 11, 2005 at 10:00 a.m. as a Status/Scheduling Conference Date in the Above-Captioned Adversary Proceedings** to be served upon the parties listed on the attached service list via hand delivery to local parties and via First Class United States Mail to all other parties thereon.



Mary E. Augustine (No. 4477)

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Re: Saber Fleet Services, Inc. d/b/a Weiland
Tire Service

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Re: Saber Fleet Services, Inc. d/b/a Weiland
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Re: Saber Fleet Services, Inc. d/b/a
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Re: Saber Fleet Services, Inc. d/b/a
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Re: Scotty's Oil Company, Inc.

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Re: Sellers Petroleum Products, Inc.

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Re: The Sherwin-Williams Co.

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Re: SoCo Group

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Re: Southeastern Crane

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Re: Seay Oil Company

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Re: Skil Bosch, SB Power Tool Co.

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Re: Son Coast Hauling, L.L.C.

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Re: Sterling Truck of Utah

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Re: Stone Construction Equip. Inc.

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Re: Terex Aerials, Inc. d/b/a Terex Cranes

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Re: Vermeer Sales of Texas

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Re: Vickers & Associates, Inc.

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